IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

LUFKIN DIVISION

KEVIN D. DAUGHERTY
v.
S
CIVIL ACTION NO. 6:08cv64
COMMISSIONER, SOCIAL SECURITY

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court referred the above-entitled and numbered civil action to United States Magistrate Judge Judith K. Guthrie. The Magistrate Judge presented for consideration the Magistrate Judge's Report, containing proposed findings of fact and recommendations for disposition. No objections were filed.

This Court finds that the Magistrate Judge's findings and conclusions are correct and adopts them as the Court's findings and conclusions. The Court therefore

ORDERS, ADJUDGES, and DECREES that this action is DISMISSED; and ORDERS that all motions not previously ruled on are denied.

SIGNED this 17th day of February, 2009.

MICHAEL H. SCHNEIDER

UNITED STATES DISTRICT JUDGE